

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

JOHN CHEUNG and SOUTH	)	
GARDEN, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil No. 04-127-B-W
	)	
JAMES WAMBOLT, JILL WAMBOLT,	)	
THE INHABITANTS OF THE TOWN	)	
OF LINCOLN, and MICHAEL	)	
KNIGHTS,	)	
	)	
Defendants.	)	

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on June 2, 2005 her Recommended Decision. The Plaintiffs filed their objections to the Recommended Decision on June 13, 2005 and the Defendants filed their responses to those objections on June 16, 2005 and June 30, 2005. I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. It is further ORDERED that the Defendants' Motions for Summary Judgment (Docket Nos. 14 & 24) are GRANTED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 5th day of July, 2005

**Plaintiff**

**JOHN CHEUNG**

represented by **KEVIN M. CUDDY**  
CUDDY & LANHAM  
470 EVERGREEN WOODS  
BANGOR, ME 04401  
(207) 942-2898  
Email: kmc@cuddylanham.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**SOUTH GARDEN INC**

represented by **KEVIN M. CUDDY**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**JAMES WAMBOLT**

represented by **HARRY B. CENTER, II**  
PIAMPIANO LAW OFFICES  
707 SABLE OAKS DRIVE  
SOUTH PORTLAND, ME 04106  
(207)772-2696 x20  
Fax: (207) 761-0810  
Email: hcenter@onebeacon.com

*ATTORNEY TO BE NOTICED*

**Defendant**

**JILL WAMBOLT**

represented by **HARRY B. CENTER, II**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**INHABITANTS OF THE  
TOWN OF LINCOLN**

represented by **BRENT A. SINGER**  
RUDMAN & WINCHELL  
84 HARLOW STREET  
P.O. BOX 1401  
BANGOR, ME 04401  
(207) 947-4501  
Email: bsinger@rudman-  
winchell.com  
*ATTORNEY TO BE NOTICED*

**DAVID C. KING**  
RUDMAN & WINCHELL  
84 HARLOW STREET  
P.O. BOX 1401  
BANGOR, ME 04401  
(207) 947-4501  
Email: dking@rudman-  
winchell.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**MICHAEL KNIGHTS**

represented by **BRENT A. SINGER**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**DAVID C. KING**  
(See above for address)  
*ATTORNEY TO BE NOTICED*